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Subject: Recently disciplined attorneys and updated list
Date: Friday, March 09, 2018 9:44:15 AM
Attachments: [Atty Discipline Chart Primary \(2\) .docx](#)

Please see the attached document for a list of currently disciplined practitioners as of March 9, 2018. I would ask each Court Administrator to post this list in a conspicuous place in order to inform the public of the status of these practitioners. This list will be updated as orders are issued by the Board of Immigration Appeals or the Immigration Courts. Names of reinstated practitioners will be removed from the list after 6 months.

The recently disciplined practitioners are:

Phil C. Nugent - On March 7, 2018, the Board issued an order immediately suspending Attorney Nugent based on his 18-month suspension in Louisiana after filing a complaint that falsely accused a municipal court judge of having an extramarital affair with the attorney's wife.

Gloria D. Saucedo - On March 7, 2017, the Board issued a final order disbarring Accredited Representative Gloria D. Saucedo based on her criminal conviction in California for engaging in the unauthorized practice of law in violation of state law.

Confidential Discipline - Since the last update, the EOIR Disciplinary Counsel has issued confidential discipline to 2 practitioners for the following misconduct: repeatedly engaging in conduct lacking competence and diligence by sending in substitute counsel who was not prepared or ready to proceed; and, removing a declaration attached to an asylum application after the document had been submitted to the court without informing the Immigration Judge.

The EOIR Disciplinary Counsel has been notified of the deaths of the following practitioners:

Mark Jacob Thomas of Illinois

Ruben Montemayor of Texas

EOIR's Attorney Discipline Program now has a dedicated e-mail address that EOIR employees may use to report misconduct by private immigration practitioners. The e-mail address is EOIR.AttorneyDiscipline@EOIR.usdoj.gov and appears in the global address list as EOIR Attorney Discipline (EOIR).

Please note that pursuant to Chapter 10.9 of the Immigration Court Practice Manual and Chapter 11.10 of the Board of Immigration Appeals' Practice Manual, a disciplined practitioner is obligated to advise all clients whose cases are pending before the Immigration Court or the Board that he or she has been disciplined. The Immigration Court Practice Manual further states: "Once a practitioner has been expelled or suspended [by an order issued by the Board or an Adjudicating Official,] the practitioner's pending cases are deemed unrepresented. The Immigration Court

rejects filings that are submitted by a practitioner after he or she has been expelled or suspended [by an order issued by the Board or an Adjudicating Official.]" (Emphasis added.) The Board's Practice Manual has a similar provision. Therefore, a disciplined practitioner has no authority to make any requests, including motions for continuances, in any of his or her former clients' cases, and the Immigration Courts and the Board do not, and should not, deal with a disciplined practitioner concerning his or her former clients' cases.

Also please note that if a practitioner is suspended or expelled, he or she may resume representation of former clients only after the Board issues an order granting reinstatement. Furthermore, they are then required to enter a new Notice of Entry of Appearance form in each case, even if he or she was the attorney at the time that discipline was imposed. Immigration Court Practice Manual Ch. 10.10(d); Board's Practice Manual Ch. 11.10(b), 11.12(c); EOIR Rules of Professional Conduct, 8 C.F.R. § 1003.107(c).

I am retiring on April 1, 2018. After that date, please contact Acting Disciplinary Counsel Paul Rodrigues at paul.a.rodrigues@usdoj.gov or email EOIR's Attorney Discipline mailbox at EOIR.AttorneyDiscipline@usdoj.gov.

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